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UNCLAS MADRID 000007

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SUBJECT: GOS ANNOUNCES ANTI-PIRACY PLAN

REF: 04 MADRID 04299

1. Minister of Culture Carmen Calvo announced on 12/29/04 key aspects of the GOS's new "Integrated Plan for the Reduction and Elimination of Activities Violating Intellectual Property". A draft of the plan has been provided to industry and other stakeholders who have until January 20 to provide comments. The Culture Ministry has issued a press release with the Plan's major elements. They include:

a) The creation of an InterMinisterial Commission (11 ministries are involved; private sector representatives will also participate, although it is not clear if they will attend Commission meetings).

b) Preventive actions against piracy (not enumerated).

c) Public campaigns against piracy.

d) Analysis of the efficacy of existing Spanish legislation. There is an emphasis on more effective police action, and the prosecution of street piracy.

e) The establishment of mechanisms for training of officials involved in combatting intellectual property rights violations.

2. The plan was welcomed by General Society of Authors and Writers (SGAE), the Record Company Association (AFIVE), the Association of Composers and Authors of Music (ACAM), the Artists Management Society of Spain (AIGE), the anti-piracy Roundtable, and various artists. The local Business Software Alliance (BSA) representative told EconOff that this was a positive step. He had discussed with Charge (reftel) the need for a French-style plan including all the relevant stakeholders to combat piracy, and industry seems to have gotten what it wanted.

3. Comment: This initiative tracks with some of the copyright industry's desires (reftel), although the issue, as is usually the case with intellectual property protection, is to what extent good intentions are implemented. We will be consulting with the GOS and industry over the coming weeks and months regarding the prospects for this plan. With respect to possible USG assistance, we will continue to work with U.S. Customs and relevant Spanish authorities to see if there is interest in having a U.S. Customs official exchange experiences with Spanish authorities on how to track blank CD imports.

MANZANARES